

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JOHN JANTZON,**

**Defendant.**

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**8:08CR61**

**ORDER**

This matter is before the court on the defendant's motion to continue trial (Doc. 50). A 60-day continuance is requested so that counsel can review discovery. Defendant wishes to review a large number of "additional" materials to which he was given access, but the motion does not state when the additional materials became available for inspection. The defendant has not filed a written affidavit signed by the defendant in accordance with NECrimR 12.1, and has not otherwise complied with paragraph 2 of the Trial Order filed September 16, 2008.

**IT IS ORDERED** that the motion to continue trial (Doc. 50) is denied, and the trial of this matter remains set for October 14, 2008.

Pursuant to NECrimR 57.2, a party may appeal this order by filing an "Appeal of Magistrate Judge's Order" no later than **12:00 noon on Wednesday, October 8, 2008.**

**DATED October 6, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**